



CDSS

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ARNOLD SCHWARZENEGGER
GOVERNOR

May 28, 2008

Elliott Robinson, Director
Monterey County Department of Social and Employment Services
1000 South Main Street
Salinas, CA 93901

Dear Mr. Robinson:

I want to take this opportunity to thank you and your staff for the cooperation and assistance provided to the reviewers from our office during the course of the Civil Rights Compliance Review of Monterey County Department of Social and Employment Services conducted April 1-4, 2008. Special thanks to Mr. Ron Mortenson, Civil Rights Investigator for his assistance in coordinating the review. Enclosed is the final report on the review.

I understand at the exit meeting on April 4, 2008, the reviewers reiterated the requirements for the documentation of interpretive services in Division 21 regulations. The reviewer shared All County Letter No. 06-20 and All County Information Notice No. 1-09-06 with your staff, which is a reminder of the documentation requirements and interpretation of the regulations by the CDSS. The deficiencies noted in this area are **repeat findings** from the 2004 and 2006 reviews that still have not been resolved. It is imperative that corrective action is taken to resolve these deficiencies, as your agency is substantially **out of compliance** with Division 21 regulations.

There are a large number of facility compliance issues identified in this report, which will require the development of a corrective action plan. Additionally, there are a number of outstanding **repeat findings** from the 2004 and 2006 reviews that must be addressed immediately. Please submit your plan within sixty days of this letter. Please address each deficiency and include steps and time lines for the completion of all corrective actions and recommendations listed in the attached report.

Due to the large number of deficiencies cited in this review, I am requesting a **monitoring schedule** to be established to track your progress in bringing your agency in to substantial compliance. After receipt and review of your corrective action plan, your Program Analyst will be in contact with your Civil Rights Coordinator to work out the details. It is our sincere hope that many of the issues will be resolved before the next review two years from now.

Elliott Robinson, Director
Page Two

We will provide a copy of our report to any individual who makes a request since our report is a public document. If you would like us to include a copy of your last corrective action plan when responding to these requests, please indicate this when submitting your plan.

If you need technical assistance in the development of your plan, please feel free to contact the Civil Rights Bureau at (916) 654-2107 (voice) / (916) 654-2098 (TDD). You may also contact us by e-mail at crb@dss.ca.gov.

Sincerely,

Handwritten signature of Elsa Garcia in cursive script.

RAMÓN S. LOPEZ, Chief
Civil Rights Bureau
Human Rights and Community Services Division

Enclosure

c: Susan Reid, Civil Rights Coordinator
Ron Mortenson, Civil Rights Investigator

Mike Papin, CDSS Food Stamps Corrective Action Management/Evaluation Bureau,
M.S. 16-32

Steve Hemmerling, Food Stamps Corrective Action Management/Evaluation Bureau,
M.S. 16-32

**CIVIL RIGHTS COMPLIANCE REVIEW REPORT
FOR
COUNTY OF
MONTEREY**

Conducted April 1-4, 2008

**California Department of Social Services
Human Rights and Community Services Division**

**Civil Rights Bureau
744 P Street, MS 6-70
Sacramento, CA 95814
(916) 654-2107**

Reviewers:

**Susan Wright
&
Claudia Cabrera**

TABLE OF CONTENTS

- I. INTRODUCTION**
- II. SUMMARY OF METHODOLOGY**
- III. DISSEMINATION OF INFORMATION**
- IV. FACILITY ACCESSIBILITY FOR INDIVIDUALS WITH DISABILITIES**
- V. PROVISION FOR SERVICES TO APPLICANTS AND RECIPIENTS WHO ARE NON-ENGLISH-SPEAKING OR WHO HAVE DISABILITIES**
- VI. DOCUMENTATION OF APPLICANT/RECIPIENT CASE RECORDS**
- VII. STAFF DEVELOPMENT AND TRAINING**
- VIII. DISCRIMINATION COMPLAINT PROCEDURES**
- IX. CONCLUSION**

CIVIL RIGHTS COMPLIANCE REVIEW REPORT

I. INTRODUCTION

The purpose of this review by the California Department of Social Services (CDSS) Civil Rights Bureau (CRB) staff was to assess the Monterey County Department of Social and Employment Services with regard to its compliance with CDSS Manual of Policies and Procedures (MPP) Division 21 Regulations, and other applicable state and federal civil rights laws.

An on-site compliance review was conducted on April 1-4, 2008. An exit meeting was held with Susan Reid, Civil Rights Coordinator and Ron Mortenson, Senior Personnel Analyst, as well as other administrative and program staff on April 4, 2008 to review the findings.

The review was conducted in the following locations:

Address:	Programs:	Non-English languages spoken by a substantial number of clients (5% or more)
King City District Office 116-118 Broadway King City, CA	CalWORKs Cash Grant, Non-Assistance Food Stamps Children(CPS) and Adult Services (IHSS)	Spanish
King City One Stop Career Center 200-A Broadway, Suite 62 King City, CA	CalWORKs Employment Services - WTW	Spanish
Salinas District Office 1000 S. Main Street Salinas, CA	CalWORKS Cash Grant, Non-Assistance Food Stamps & Children's Services	Spanish

Seaside District Office 1281 Broadway Seaside, CA (Facility review only -no case files reviewed)	CalWORKs Cash Grant, Non- Assistance Food Stamps and Adult Services	Spanish
LaGuardia Office 713 LaGuardia Salinas, CA	Adult Services (IHSS)	Spanish
Salinas One Stop 730 LaGuardia Salinas, CA (Case file review only - no facility review conducted)	CalWORKs Employment Services – WTW	Spanish

SUMMARY OF METHODOLOGY

- Reviewed the 2007/2008 Annual Civil Rights Plans submitted by the County.
- Reviewed the civil rights discrimination complaint database for a complete listing of complaints filed against the County for the last year.

On-site review procedures included:

- Interviews of public contact staff
- Survey of program managers
- Case file reviews
- Facility inspections

Each site/program was reviewed for compliance in the following areas:

- Dissemination of Information
- Facility Accessibility for Individuals with Disabilities
- Bilingual Staffing/Services for Non-English-Speaking Clients
- Accessibility for Clients with Visual or Hearing Impairments
- Documentation of Client Case Records
- Staff Development and Training
- Discrimination Complaint Procedures

Here is a summary of the sources of information used for the review:

Interviews Conducted of Public Contact Staff:

Classifications	Total	Bilingual
Eligibility Workers	9	3
Employment Specialists	2	2
Social Worker –Adult Programs	2	2
Receptionist	4	4
Total	17	11

Program Manager Surveys:

Number of surveys distributed	5
Number of surveys received	3

Reviewed Case Files: Total: 77

English speakers' case files reviewed	12
Non-English or limited-English speakers' case files reviewed	65
Languages of clients' cases	English and Spanish

Sections III through VIII of this report contain specific Division 21 civil rights requirements and present field review findings regarding the county's compliance with each requirement. The report format first summarizes each requirement, then the actual review team findings, including appropriate comparisons. This format is an effort to validate the application of policies and procedures contained in the annual plan. Required corrective actions are stated at the end of each section.

Section IX of the report is reserved for a declaration of overall compliance.

III. DISSEMINATION OF INFORMATION

Counties are required to disseminate information about program or program changes and about how applicants and recipients are protected by the CDSS regulations (Division 21). This dissemination should occur through outreach and information to all applicants, recipients, community organizations, and other interested persons, including non-English and limited-English speakers and those with impaired hearing or vision or other disabling conditions.

A. Findings

Access to Services, Information and Outreach	Yes	No	Some-times	Comments
Does the county accommodate working clients by flexing their hours or allowing applications to be mailed in?	X			Business hours are Monday through Friday, 8:00 AM-5:00PM. Applications can be mailed into the office when necessary.
Does the county have extended hours to accommodate clients?	X			Specific arrangements can be made with workers to accommodate client's needs. Emergency Response services are provided 24 hours, seven days a week for Child Welfare Services.
Can applicants access services when they cannot go to the office?	X			Special arrangements can be made with the workers.
Does the county ensure the awareness of available services for individuals in remote areas?	X			
Signage, posters, pamphlets	Yes	No	Some-times	Comments
Does the county use the CDSS pamphlet "Your Rights Under California Welfare Programs" (Pub 13)? Is the pamphlet distributed and explained to each client at intake and renewal/re-certification?	X			
Was the current version of Pub 13 available in English, Spanish, Lao, Vietnamese, Chinese, Hmong, Russian, Korean, Farsi, Armenian and Cambodian?	X			

Was the Pub 13 available in large print, audiocassette and Braille?			X	The Seaside District Office was not able to locate the audio version of the Pub 13. The LaGuardia Office was not able to locate the Braille or audio version of the Pub 13. [CORRECTIVE ACTION REQUIRED]
Were the current versions of the required posters present in the lobbies?	X			
Were there instructional and directional signs posted in waiting areas and other places frequented by a substantial number of non-English-speaking clients translated into appropriate languages?	X			All offices reviewed had excellent Spanish translation for instructional and directional signage.

B. Corrective Actions:

Informational Element	Corrective Action Required
Auxiliary Aids	Monterey County Department of Social and Employment Services shall ensure the availability of large print, Braille, and auditory aids for participants in all of the programs for which CDSS has oversight responsibility. Div. 21-107.22, Div. 21-115.2

C. Recommendations:

Contact your CDSS Civil Rights program consultant to order the PUB 13 in audio versions.

IV. FACILITY ACCESSIBILITY FOR INDIVIDUALS WITH DISABILITIES

The Americans with Disabilities Act (ADA) requires public accommodations to provide goods and services to people with disabilities on an equal basis with the rest of the general public. The goal is to afford every individual the opportunity to benefit from the services available. The federal regulations require that architectural and communication barriers that are structural must be removed in public areas of existing facilities when their removal is readily achievable; in other words, easily accomplished and able to be carried out without much difficulty or expense.

The facility review is based on four priorities supported by the ADA regulations for planning achievable barrier removal projects. The priorities include ensuring accessible approach and entrance to the facility, access to goods and services, access to restrooms, and any other measures necessary.

Note that the references to the Americans with Disabilities Act Accessibility Guidelines (ADAAG) in the Corrective Action column refer to the federal Standards for Design. Title 24 of California Code and Regulations (T24 CCR) is also cited because there are instances when California state law is stricter than ADAAG specifications.

The county must ensure that programs and activities are readily accessible to individuals with disabilities. This includes building accessibility and availability of accessible parking as well as accessibility of public telephones and restrooms.

A. Findings and Corrective Actions

Regulations cited are from the Title 24, California Code of Regulations (T24 CCR) and ADAAG.

Facility Location: King City District Office, 116 Broadway, King City

Facility element	Findings	Corrective Action
Parking Lot	There is no "unauthorized parking" signage at the entrances to the off-street accessible parking spaces.	Additional signage shall be posted in a conspicuous place at each entrance to off-street parking facilities, or adjacent to and visible from each space. The sign shall be 17" by 22" minimum in size with lettering 1" minimum high stating: "Unauthorized vehicles parked in designated accessible spaces not displaying distinguishing placards or license plates issued for persons with disabilities may be towed away at owner's expense. Towed vehicles may be reclaimed at _____ or by telephoning _____." (CA T24 1129B.5) p. 133

	<p>The three designated "accessible" parking spaces in the lot on the side of the building do have freestanding accessible signage, but it is not posted high enough at 66"-70".</p> <p>Accessible parking space minimum width for all three spaces is not 9' minimum, as required.</p> <p>The words "NO PARKING" are not painted on the pavement in any of the access aisles for loading/unloading passengers.</p> <p>The access aisles do not connect to an accessible path of travel from the parking lot to the front door, forcing persons with disabilities to have to travel behind cars other than their own, resulting in an unsafe route of travel.</p>	<p>Each parking space for persons with disabilities must be identified by a reflectorized sign permanently posted adjacent to and visible from each stall or space, consisting of a profile view of a wheelchair with occupant in white on dark blue background. The sign should be 70 sq. inches minimum area and when in a path of travel, shall be posted at a height of 80" minimum from the bottom of the sign to the finished grade. (CA T24 1129B.5, ADA 4.6.5) p. 133</p> <p>The length of the parking space shall be at least 18' long, 9' wide. (CA T24 1129B.4.1) p. 135</p> <p>The words "NO PARKING" shall be painted on the ground in each 5' or 8' loading and unloading access aisle in white letters no smaller than 12". (CA T24 1129B.4.1 & 2) p. 135</p> <p>Persons with disabilities shall not be forced to travel behind parked cars other than their own. (CA T24 1129B.4.1 & 2) p. 135 Accessible parking must be located on the shortest accessible route from the entrance. (CA T24 1129B.1.2, ADA 4.3.2 (1) p. 131</p>
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		<p>The accessible aisles for loading and unloading passengers must connect to the accessible path of travel, including curb cuts or ramps as needed.</p> <p>(CA T24 1129B.4.3, ADA 4.6.3) p. 136</p> <p>Walkways minimum width is 48".</p> <p>(CA T24 1133B.7.1) p. 160</p>
Main Entrance	The door pressure to open the front door was too heavy at 14 lbs.	<p>The force to open doors, exterior and interior is 5 lbs. maximum.</p> <p>(CA T24 1133B.2.5, ADA 4.13.11(2)(a) & (b) p. 195</p>
Restrooms	Designated "accessible" signage is found on both Men's and Women's restroom doors, but not also on walls, as required.	<p><u>REPEAT FINDING FROM 2006 REVIEW</u></p> <p>Permanent wall and door signs must be installed. A wall sign must be installed on the outside wall, adjacent to latch side of door. If there is no space at that location, the sign should be placed on nearest adjacent wall, preferably on the right. The mounting height must be 60" above the floor to the center line of wall sign. Persons should be able to approach within 3" of the sign without encountering protruding objects or standing within the swing of any door.</p> <p>(CA T24 1117B.5, ADA 4.22.2 & 4.30)</p>

	<p>The wrapping on the pipes under the sinks in both the Men's and Women's restrooms is coming loose and needs to be re-wrapped.</p> <p>Door pressure for Women's restroom door is too heavy at 10 lbs.</p> <p>Men's restroom accessible stall: there is no lever or knob on handle on the door. The door is unable to be secured.</p> <p>The paper towel dispenser in the Women's restroom is located too high at 53".</p>	<p>Hot water and drain pipes must be insulated and covered. No sharp or abrasive surfaces under lavatories. (CA T24 1115B.2.1.2.2, ADA 4.19.4) p. 267 Recommend water pressure in Men's restroom sink be adjusted, as it is too low.</p> <p>Interior doors will have 5 lbs. maximum pressure. (CA T 24 1133B.2.5, ADA 4.13.11(2)(b) p. 195</p> <p><u>REPEAT FINDING FROM 2006 REVIEW</u> Replace handle to secure the door for occupant. Handles, levers and controls must be operable with one hand and do not require tight grasping, pinching or twisting of the wrist. (CA T24 1115B.2.1.2, ADA 4.27.4) p. 279</p> <p>If towel, waste receptacles and other dispensing and disposal fixtures are provided, at least one of each type is located with all operable parts at a maximum height of 40". (CA-ACRM 1115B.9.2 and CA-ACRM 1115B.9.1.2, ADA 4.19.6) p. 269 Recommend a lid be installed on the soap dispenser in the Women's restroom.</p>
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Facility Location: Children's Services, 118 Broadway, King City

Facility Element	Findings	Corrective Action
Main Entrance Children's Services	<p>The front door to this office is always locked and requires an escort in to the building.</p> <p>The City maintained sidewalk in front of the building has a short, but very steep ramp to the front door. The ramp is unsafe for disabled persons because the slope of the ramp measured at 14.3%.</p>	<p>The slope of a curb ramp shall not exceed 1:12 (8.3% slope). (CA T 24 1127B.5.3, ADA 4.8.2)</p>
1 Unisex Restroom	<p>Designated accessible signage was not found on the wall, as required.</p> <p>The wrapping on the pipes under the sink in the Unisex restroom is coming loose and needs to be re-wrapped.</p>	<p>Door and wall signage shall be 60" above the floor. Permanent wall and door signs must be installed. A wall sign must be installed on the outside wall, adjacent to latch side of door. If there is no space at that location, the sign should be placed on nearest adjacent wall, preferably on the right. The mounting height must be 60" above the floor to the center line of wall sign. Persons should be able to approach within 3" of the sign without encountering protruding objects or standing within the swing of any door. (CA T24 1117B.5, ADA 4.22.2 & 4.30)</p> <p>Hot water and drain pipes must be insulated and covered. No sharp or abrasive surfaces under lavatories. (CA T24 1115B.2.1.2.2, ADA 4.19.4) p. 267</p>

	The mirror is located too high at 44" from the floor.	Base of mirror at 40" maximum. If towel, waste receptacles and other dispensing and disposal fixtures are provided, at least one of each type is located with all operable parts at a maximum height of 40". (CA-ACRM 1115B.9.2 and CA-ACRM 1115B.9.1.2, ADA 4.19.6) p. 269
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Facility Location: King City One Stop Career Center, 200A Broadway #62, King City

Facility Element	Findings	Corrective Action
Parking Lot	There is no "unauthorized parking" signage at the entrances to the off-street accessible parking spaces.	Additional signage shall be posted in a conspicuous place at each entrance to off-street parking facilities, or adjacent to and visible from each space. The sign shall be 17" by 22" minimum in size with lettering 1" minimum high stating: "Unauthorized vehicles parked in designated accessible spaces not displaying distinguishing placards or license plates issued for persons with disabilities may be towed away at owner's expense. Towed vehicles may be reclaimed at _____ or by telephoning _____." (CA T24 1129B.5) p.133

	<p>There is one designated "accessible" parking space in the lot. It is not designated as "Van-Accessible".</p> <p>The freestanding accessible signage is posted too low at 63". It must be posted 80" from the bottom of the sign to the top of the finished grade.</p>	<p>One in every eight accessible spaces (no less than one) shall be designated Van-Accessible. (CA T24 1129B.4.2, ADA 4.1.2(5)(b) pp. 135, 136</p> <p>Recommendation: Install "van accessible" signage below the existing accessible signage, as the required access aisle on the passenger side already exists.</p> <p>Each parking space for persons with disabilities must be identified by a reflectorized sign permanently posted adjacent to and visible from each stall or space, consisting of a profile view of a wheelchair with occupant in white on dark blue background. The sign should be 70 sq. inches minimum area and when in a path of travel, shall be posted at a height of 80" minimum from the bottom of the sign to the finished grade. (CA T24 1129B.5, ADA 4.6.5) p. 133</p>
Main or Alternate Entrance	Front door pressure too heavy at 9 lbs. on each side of double door.	Interior doors will have 5 lbs. maximum pressure. (CA T 24 1133B.2.5, ADA 4.13.11(2)(b) . 195

Lobby	The counter is too high at 36" and is not compliant.	The height of accessible tables or counters is between 28"-34" from the floor finish. (CA T24 1122B.4, ADA 4.32.4) p. 349
Restrooms	<p>The door pressure for the Women's restroom door is too heavy at 14 lbs. and the Men's is too heavy at 10 lbs.</p> <p>The wrapping on the pipes under the sink in the Men's restroom is coming loose and needs to be re-wrapped.</p> <p>There are two urinals located in the Men's restroom. One is located inside a designated accessible stall and the other is not. The urinal located inside the designated accessible stall is not compliant, as it measures 25.5" high. The other urinal located outside of the designated accessible stall is compliant measuring 17" high.</p>	<p>Interior doors will have 5 lbs. maximum pressure. (CA T 24 1133B.2.5, ADA 4.13.11(2)(b) p. 195</p> <p>Hot water and drain pipes must be insulated and covered. No sharp or abrasive surfaces under lavatories. (CA T24 1115B.2.1.2.2, ADA 4.19.4) p. 267</p> <p>Accessible urinal rim height shall be a maximum of 17" in height above the floor. (CA T24 1115B.2.1.1.1, ADA 4.18.2) p. 265</p> <p>Recommendation: Remove the designated accessible signage (International Symbol of Accessibility) from the outside of the stall, as the urinal inside the stall is not compliant.</p>

Facility Location: Salinas District Office (Quadrangle), 1000 S. Main Street, Salinas

Facility Element	Findings	Corrective Action
<p>Parking Lot</p>	<p>There is no "unauthorized parking" signage at the entrances to the off-street accessible parking spaces.</p>	<p>Additional signage shall be posted in a conspicuous place at each entrance to off-street parking facilities, or adjacent to and visible from each space. The sign shall be 17" by 22" minimum in size with lettering 1" minimum high stating: "Unauthorized vehicles parked in designated accessible spaces not displaying distinguishing placards or license plates issued for persons with disabilities may be towed away at owner's expense. Towed vehicles may be reclaimed at _____ or by telephoning _____." (CA T24 1129B.5) p. 133</p>

	<p>Quadrangle Lot: The freestanding accessible signage is posted too low at 73".</p> <p>The designated accessible parking spaces are not long enough at 16.5'.</p> <p>The regular accessible parking spaces are not compliant as they do not have sufficient access aisles for loading and unloading passengers.</p>	<p>Each parking space for persons with disabilities must be identified by a reflectorized sign permanently posted adjacent to and visible from each stall or space, consisting of a profile view of a wheelchair with occupant in white on dark blue background. The sign should be 70 sq. inches minimum area and when in a path of travel, shall be posted at a height of 80" minimum from the bottom of the sign to the finished grade. (CA T24 1129B.5, ADA 4.6.5) p. 133</p> <p>The length of the parking space shall be at least 18' long. (CA T24 1129B.4.1) p. 135</p> <p>The access aisle shall be 18' long and 5' wide minimum for cars. (CA T24 1129B.4.1 & 2, ADA 4.6.3) p. 135 Access aisles (for loading and unloading) must connect to the accessible path of travel, including curb cuts or ramps as needed. (CA T24 1129.B.4.3, ADA 4.6.3) p. 136</p>
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	<p>One designated Van-Accessible parking space is not compliant because the access aisle is located on the driver's side instead of the passenger's side.</p> <p>The words "NO PARKING" are not painted on the pavement in any of the access aisles for loading/unloading passengers.</p>	<p>One in every eight accessible spaces (no less than one) shall be served by an access aisle 96" wide placed opposite the driver's side and shall be designated Van-Accessible. (CA T24 1129.B.4.2, ADA 4.1.2 (5)(b) p. 135</p> <p>The words "NO PARKING" shall be painted on the ground in each 5' or 8' loading and unloading access aisle in white letters no smaller than 12". (CA T24 1129B.4.1 & 2) p. 135</p>
Main Entrance	<p>Reception Doors – District Office: Door pressure too heavy. Right side at 15 lbs., left side at 13 lbs.</p> <p>(Note: It is noted that the reviewer was advised the door pressure is unable to be adjusted and a door bell has been installed. Staff from reception will then come out and assist the client into the office)</p>	<p>Force to open doors, exterior, and interior is 5 pounds maximum. (CA T24 1133B.2.5, ADA 4.13.11(2)(a) & (b) p. 195</p>
Elevator	<p>Quadrangle Elevator - The call button is located too high at 43.5"</p>	<p>The centerline of the hall call button shall be within 42" of the floor. (CA T24 1116B.1.10 & 1116B.1.13, ADA 4.10.3) pp. 232, 234</p>

	The landing jamb signage on both sides indicating the floor number is too low at 42".	Passenger elevator landing jambs on all elevator floors have the number of the floor on which the jamb is located designated by raised characters that are a minimum of 2" in height, Grade 2 Braille, located 60" on center above the floor on the jamb panels on both sides of the door so that they are visible from within the elevator. (CA T24 1116B.1.15, ADA 4.10.5) p. 237
Drinking Fountain	Quadrangle – 3 rd floor: The drinking fountain spout is located too high at 38-39".	The drinking fountain spout is located within 6" of the front edge and 36" maximum from the floor. (CA T24 1117B.1-2, ADA 4.15)
Restrooms	<p>Quadrangle - In both Men's and Women's restrooms on the 1st and 3rd floors, there is "accessible" wall signage <u>only</u> and none on the doors.</p> <p>Door pressure for Women's 3rd floor restroom is too heavy at 9 lbs.</p>	<p>Permanent wall signs <u>and</u> door signs must be installed. Door sign and wall sign shall be 60" above the floor. (CA T24 1117B.5, ADA 4.22.2, 4.30) p. 263</p> <p>Force to open doors, exterior, and interior is 5 pounds maximum. (CA T24 1133B.2.5, ADA 4.13.11(2)(a) & (b) p. 195</p>

	<p>Pipes under the sinks of both Men and Women's 1st and 3rd floor restrooms need to be re-wrapped.</p> <p>District Office: 1st floor Women's restroom door does not have a handle/lever and is unable to be shut/secured.</p>	<p>Hot water and drain pipes must be insulated and covered. No sharp or abrasive surfaces under lavatories. (CA T24 1115B.2.1.2.2, ADA 4.19.4) p. 267</p> <p>Replace handle to secure the door for occupant. Handles, levers and controls must be operable with one hand and do not require tight grasping, pinching or twisting of the wrist. (CA T24 1115B.2.1.2, ADA 4.27.4) p. 279</p>
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Observation/Recommendation: It was brought to the attention of the reviewers that the designated accessible parking spaces located near the front door of the Quadrangle entrance is mostly used by Monterey County Department of Social and Employment Services staff. If this is indeed the case, then additional accessible parking spaces should be designated as close as possible to the entrance.

Facility Location: Seaside District Office, 1281 Broadway, Seaside

Facility Element	Findings	Corrective Action
Parking Lot	There is no "unauthorized parking" signage at the two entrances to the off-street accessible parking spaces.	Additional signage shall be posted in a conspicuous place at each entrance to off-street parking facilities, or adjacent to and visible from each space. The sign shall be 17" by 22" minimum in size with lettering 1" minimum high stating:

	<p>Insufficient number of accessible parking spaces per total number of parking spaces in lot. Reviewers counted at least 70 parking spaces in lot. Required amount of accessible spaces is 3 for 51-75 parking spaces. This lot has 2 accessible spaces located in front of building.</p> <p>The freestanding signage for the one accessible parking space in front of the building is posted too low at 70". The other accessible space has no signage posted at all.</p>	<p>"Unauthorized vehicles parked in designated accessible spaces not displaying distinguishing placards or license plates issued for persons with disabilities may be towed away at owner's expense. Towed vehicles may be reclaimed at _____ or by telephoning _____." (CA T24 1129B.5) p. 133</p> <p>Need at least one more accessible parking space. Accessible parking spaces shall be located as near as practical to a primary entrance and shall have required spaces according to (CA T24 1129B.1, ADA 4.1.2(5)(a) p. 132</p> <p>REPEAT FINDING FROM 2004 REVIEW Raise existing signage to 80" minimum from ground and install required signage for the other accessible parking space. Each parking space for persons with disabilities must be identified by a reflectorized sign permanently posted adjacent to and visible from each stall or space, consisting of a profile view of a wheelchair with occupant in white on dark blue background.</p>
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	<p>The existing Van-Accessible parking space is 12'.5" wide with a 5'9" access aisle.</p> <p>The words "NO PARKING" are not painted on the pavement in the access aisles for loading/unloading passengers.</p>	<p>The sign should be 70 sq. inches minimum area and when in a path of travel, shall be posted at a height of 80" minimum from the bottom of the sign to the finished grade. (CA T24 1129B.5, ADA 4.6.5) p. 133</p> <p>The length of parking space shall be at least 18' long, 9' wide. Van-Access aisle shall be 18'X8' minimum on passenger side. (CA T241129 B.4.1, ADA 4.6.3) p. 135 Recommendation: Decrease parking space width to 9' wide and increase access aisle on passenger side to 8' (remove existing bumper).</p> <p>The words "NO PARKING" shall be painted on the ground in each 5' or 8' loading and unloading access aisle in white letters no smaller than 12". (CA T24 1129B.4.1 & 2) p. 135</p>
Main or Alternate Entrance	<p>Alternate Entrance/Exit: There is an exit door located to the right side of the reception area. It is locked from the inside – public can get out, but not in. This door is occasionally used by the public as an exit. This is a non-compliant exit and is not accessible.</p>	<p>Clear width, minimum clearance of a door must be 32". (CA T24 1133B.2.2. & 1003.3.1.3, ADA 4.1.13.5, CA T24 1133B.1.1.1.1) pp 191, 181 Slope of curb ramp shall not exceed 1:12 (8.3% slope) CA T24 1127B.5.3, ADA 4.8.2)</p>

	<p>The doors are too narrow measuring 30" wide. The ramp up to the sidewalk is too steep (measuring 12.3% slope at one point), exceeding the maximum slope of 8.3%. This exit is unsafe if a disabled person, especially a wheelchair-bound person, attempted to get through the narrow doors and up the steep ramp to the sidewalk.</p> <p>The main entrance front door threshold is 1 ½" lower than the top of the threshold creating a potential hazard for disabled clients.</p>	<p>Recommendation: Bring exit door and ramp in to ADA compliance, or post signage inside and outside the entrance indicating it is <u>not</u> an accessible entrance/exit. (Post in both English and Spanish)</p> <p>Landings of floors are no more than ½" lower than top of threshold. (CA T24 1133B.2.4.1, ADA 4.13.8) p. 201</p>
Drinking Fountain	<p>The drinking fountain is not compliant. The water spout is too high at 39".</p>	<p>The drinking fountain spout is located within 6" of the front edge and 36" maximum from the floor. (CA T24 1117B.1-2, ADA 4.15)</p>
Restrooms	<p>Both Men's & Women's restrooms: Designated accessible signage was not found on the walls, as required.</p>	<p>Door and wall signage shall be 60" above the floor. Permanent wall and door signs must be installed. A wall sign must be installed on the outside wall, adjacent to latch side of door. If there is no space at that location, the sign should be placed on nearest adjacent wall, preferably on the right. The mounting height must be 60" above the floor to the center line of wall sign.</p>

		Persons should be able to approach within 3" of the sign without encountering protruding objects or standing within the swing of any door. (CA T24 1117B.5, ADA 4.22.2 & 4.30)
	<p>Women's restroom:</p> <ul style="list-style-type: none"> - Door pressure too heavy at 10 lbs. - Need to re-wrap pipes under the sink 	<p>Force to open doors, exterior, and interior is 5 pounds maximum. (CA T24 1133B.2.5, ADA 4.13.11(2)(a) & (b) p. 195</p> <p>Hot water and drain pipes must be insulated and covered. No sharp or abrasive surfaces under lavatories. (CA T24 1115B.2.1.2.2, ADA 4.19.4) p. 267</p>
	The inside of the Men's restroom was not reviewed as it was not accessible to the reviewers at the time of facility review.	

Observation/Recommendation: The Seaside District Office is a two story building without an elevator. The reviewers were informed that the general public does not access the 2nd floor at this time. If this situation should change in the future, Monterey County Department of Social and Employment Services should consider installing an elevator for public accessibility as well as for the safety of their own staff.

Facility Location: LaGuardia Office, 713 LaGuardia, Salinas

Facility Element	Findings	Corrective Action
Parking Lot	The 2005 compliance report indicated "no problem with access" for this facility. These reviewers disagree with that statement.	

	<p>There are a total of 5 designated accessible parking spaces. 2 located in the front of the main entrance, 2 in the middle of the building and 1 at the far right of the front door. Accessible parking must be located as close as possible to the main entrance.</p> <p>All 5 of the designated accessible parking spaces are 2' too short at 16'. It appears they may have been 18' at one time, but they have been changed to 16', as the old paint is obliterated.</p> <p>The International Symbol of Accessibility (ISA) painted on the ground for the 2 accessible spaces in front of the door is backwards.</p> <p>Need the words NO PARKING painted on the pavement in all access aisles.</p>	<p>Accessible parking spaces shall be located as near as practical to a primary entrance and on the shortest accessible route. (CA T24 1129B.1.2, ADA 4.1.2(5)(a) p 132 & ADA 4.3.2(1) p. 131</p> <p>Length of parking space shall be at least 18' long, 9' wide with a 5' access aisle for cars and a van-access aisle of 8' minimum located on the passenger side. (CA T24 1129B.4.1) p. 135</p> <p>The surface of each accessible parking space must have a surface identification 36" x 36", centered, white on blue in color, visible and centered, with a profile view depicting a wheelchair with occupant. CA T24 1129B.5.1 & 2) p. 133</p> <p>The words NO PARKING shall be painted on the ground in each 5' or 8' loading/unloading access aisle in white letters no smaller than 12". (CA T24 1129B.4.1 & 2) p. 135</p>
Main Entrance	<p>Front door pressure is too heavy at 15 lbs. pressure.</p>	<p>Force to open doors, exterior, and interior is 5 pounds maximum. (CA T24 1133B.2.5, ADA 4.13.11(2)(a) & (b) p. 195</p>

<p>Unisex Restroom</p>	<p>The signage on the wall and door is not compliant. There is specific required signage designating a Unisex restroom facility.</p>	<p>Unisex facilities are identified with door signage with a circle ¼" thick, and 12" in diameter with a ¼" thick triangle superimposed on the circle within the 12" diameter.</p> <p>Permanent wall and door signs must be installed. A wall sign must be installed on the outside wall, adjacent to latch side of door. If there is no space at that location, the sign should be placed on nearest adjacent wall, preferably on the right. The mounting height must be 60" above the floor to the center line of wall sign. Persons should be able to approach within 3" of the sign without encountering protruding objects or standing within the swing of any door.</p> <p>For specific signage requirements for Unisex restrooms, please refer to (CA T24 1117B.5, ADA 4.22.2 & 4.30)</p>
	<p>Pipes underneath the sink need to be re-wrapped.</p>	<p>Hot water and drain pipes must be insulated and covered. No sharp or abrasive surfaces under lavatories.</p> <p>(CA T24 1115B.2.1.2.2, ADA 4.19.4) p. 267</p>

	The toilet seat protectors are located too high at 46".	If towel, waste receptacles and other dispensing and disposal fixtures are provided, at least one of each type is located with all operable parts at a maximum height of 40". (CA-ACRM 1115B.9.2 and CA-ACRM 1115B.9.1.2, ADA 4.19.6) p. 269
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V. PROVISION FOR SERVICES TO APPLICANTS AND RECIPIENTS WHO ARE NON-ENGLISH-SPEAKING OR WHO HAVE DISABILITIES

Counties are required by Division 21 to ensure that effective bilingual/interpretive services are provided to serve the needs of the non-English-speaking population and individuals with disabilities without undue delays. Counties are required to collect data on primary language and ethnic origin of applicants/recipients (identification of primary language must be done by the applicant/recipient).

Using this information, a county may determine 1) the number of public contact staff necessary to provide bilingual services, 2) the manner in which they can best provide interpreter services without bilingual staff and 3) the language needs of individual applicants/recipients. Counties must employ an appropriate number of certified bilingual public contact employees in each program and/or location that serves a substantial number of non-English-speaking persons. In offices where bilingual staff is not required because non-English-speaking persons do not represent a substantial number, counties must provide effective bilingual services through interpreters or other means.

Counties must also provide auxiliary aids and services, including Braille material, taped text, qualified interpreters, large print materials, telecommunication devices for the deaf (TDDs), and other effective aids and services for persons with impaired hearing, speech, vision or manual skills. In addition, they must ensure that written materials be available in individuals' primary languages when the forms and materials are provided by CDSS, and that information inserted in notices of action (NOA) be in the individuals' primary language.

A. Findings from Program Manager Surveys, Staff Interviews and Case File Reviews

Question	Yes	No	Some-times	Comments
Does the county identify a client's language need upon first contact? How?	X			Reception staff at initial contact identifies the language needs.

Question	Yes	No	Some-times	Comments
Does the county use a "Primary Language Form"?		X		The county has developed the "Language Preference & Auxiliary Aid Identification" form, but it has never been implemented.
Does the client self-declare on this form?				N/A
Are non-English- or limited- English-speaking clients provided bilingual services?	X			Non-English clients are assigned bilingual workers, if possible.
After it has been determined that the client is limited-English or non-English speaking, what is the county process for procuring an interpreter?	-	-	-	Workers rely on bilingual co-workers and "service aids". The workers had knowledge of how to also request interpretive services by calling the Language Line.
Is there a delay in providing services?		X		All staff interviewed and responses from the Program Manager survey state there is no delay in procuring interpretive services.
Does the county have a language line provider, a county interpreter list, or any other interpreter process?	X			
Is bilingual staff certified?	X			
Does the county have adequate interpreter services?	X			Oaxacan population poses a difficult situation.
Does the county allow minors to be interpreters? If so, under what circumstances?		X		The staff reports that using minors to interpret is not appropriate and not done unless extenuating circumstances exist.
Does the county allow the client to provide his or her own interpreter?	X			Oaxacan's often bring someone who understands Spanish.

Question	Yes	No	Some-times	Comments
Does the county ensure that the client-provided interpreter understands what is being interpreted for the client?	X			Workers state if there is any doubt that the client provided interpreter does not understand what is being interpreted, interpretive services are then provided.
Does the county use the CDSS-translated forms in the clients' primary languages?	X			
Is the information that is to be inserted into NOA translated into the client's primary language?	X			This is found to be true based on the majority of case file reviews.
Does the county provide auxiliary aids and services, TDDs and other effective aids and services for persons with impaired hearing, speech, vision or manual skills, including Braille material, taped text, large print materials (besides the Pub 13)?	X			The county staff stated they would provide their clients with whatever auxiliary aids they needed and would do "whatever it takes" to accommodate their clients. Staff indicated someone would be made available to assist the visually impaired client in filling out the forms. TDDs and California Relay Systems are available.
Does the county identify and assist the client who has learning disabilities or a client who cannot read or write?	X			Workers stated that they read the information slowly and carefully to the client, checking frequently for understanding.

Question	Yes	No	Some-times	Comments
Does the county offer screening for learning disabilities?	X			
Is there an established process for offering screening?	X			It is the policy of the Employment Services program WTW staff to always offer this screening at Appraisal.
Is the client identified as having a learning disability referred for evaluation?	X			Referred to the Melvin Smith Learning Center for testing and then referred to a contracted independent Psychologist (Dr. Joan Smith) for evaluation. Client is then referred to the most appropriate resources available, including Social Security and Department of Rehabilitation.

B. Corrective Action:

NONE REQUIRED

VI. DOCUMENTATION OF APPLICANT/RECIPIENT CASE RECORDS

Counties are required to ensure that case records document applicant's/recipient's ethnic origin and primary language, the method used to provide bilingual services, information that identifies an applicant/recipient as disabled, and an applicant's/recipient's request for auxiliary aids and services.

A. Findings from Case File Reviews and Staff Interviews

For each documentation item, the location and/or form where the item is documented in the case file is noted. Instances where the case review sample did not contain evidence of the documentation item, the information is based on staff interviews.

Documented Item	CalWORKs (Cash) and Employment Services (WTW)	Food Stamps (NAFS)	Children & Family Services	Adult Programs (IHSS and APS)
Ethnic origin documentation	SAWS-1, CWES 180, SAWS GAIN Appraisal	SAWS-1	Passport to Services, Police Reports	SOC 295
Primary language documentation	SAWS-1 Statement of Facts, CWES 180	SAWS-1 Statement of Facts	Passport to Services, E.R. Referral	SOC 295

Documented Item	CalWORKs (Cash) and Employment Services (WTW)	Food Stamps (NAFS)	Children & Family Services	Adult Programs (IHSS and APS)
Method of providing bilingual services and documentation	The county staff fails to sufficiently document the case narrative/ comments regarding the provision of interpretive services, either by use of an interpreter or if the worker is bilingual, failing to document themselves as the provider of interpretive services to the client at each face-to-face and/or telephone contact with non-English or limited-English speaking clients. [CORRECTIVE ACTION REQUIRED]	The county staff fails to sufficiently document the case narrative/ comments regarding the provision of interpretive services, either by use of an interpreter or if the worker is bilingual, failing to document themselves as the provider of interpretive services to the client at each face-to-face and/or telephone contact with non-English or limited-English speaking clients. [CORRECTIVE ACTION REQUIRED]	The county Social Workers fail to sufficiently document the case narrative/ comments regarding the provision of interpretive services, either by use of an interpreter or if the worker is bilingual, failing to document themselves as the provider of interpretive services to the client at each face-to-face and/or telephone contact with non-English or limited-English speaking clients. [CORRECTIVE ACTION REQUIRED]	The IHSS Social Work staff fail to sufficiently document the case narrative/ comments regarding the provision of interpretive services, either by use of an interpreter or if the worker is bilingual, failing to document themselves as the provider of interpretive services to the client at each face-to-face and/or telephone contact with non-English or limited-English speaking clients. [CORRECTIVE ACTION REQUIRED]

Documented Item	CalWORKs (Cash) and Employment Services (WTW)	Food Stamps (NAFS)	Children & Family Services	Adult Programs (IHSS and APS)
Client provided own interpreter	Sufficient documentation not found [CORRECTIVE ACTION REQUIRED]	Sufficient documentation not found [CORRECTIVE ACTION REQUIRED]	Sufficient documentation not found [CORRECTIVE ACTION REQUIRED]	Sufficient documentation not found [CORRECTIVE ACTION REQUIRED]
Method to inform client of potential problem using own interpreter	Documentation not found [CORRECTIVE ACTION REQUIRED]	Documentation not found [CORRECTIVE ACTION REQUIRED]	Documentation not found [CORRECTIVE ACTION REQUIRED]	Documentation not found [CORRECTIVE ACTION REQUIRED]
Release of information to Interpreter	Not found [CORRECTIVE ACTION REQUIRED]	Not found [CORRECTIVE ACTION REQUIRED]	Not found [CORRECTIVE ACTION REQUIRED]	Not found [CORRECTIVE ACTION REQUIRED]
Acceptance or refusal of written material offered in primary language	Not found [CORRECTIVE ACTION REQUIRED]	Not found [CORRECTIVE ACTION REQUIRED]	N/A	SOC 295
Documentation of minor used as interpreter	Not found	Not found	1 case from King City contained documentation of a 15 yr. old child interpreting for her mother. [CORRECTIVE ACTION REQUIRED]	Not found
Documentation of circumstances for using minor interpreter temporarily	N/A	N/A	None located in this case. [CORRECTIVE ACTION REQUIRED]	N/A
Translated notice of actions (NOA) contain translated inserts	Provided as needed for Spanish	Provided as needed for Spanish.	N/A	Provided as needed for Spanish.

Documented Item	CalWORKs (Cash) and Employment Services (WTW)	Food Stamps (NAFS)	Children & Family Services	Adult Programs (IHSS and APS)
Method of identifying client's disability	Statement of Facts, Case narratives, WTW 18 (No sample cases)	Statement of Facts, Case narratives (No sample cases)	Case narrative, court documents, case plans (No sample cases)	SOC 295 & narrative
Method of documenting a client's request for auxiliary aids and services	Case narrative (No sample cases)	Case narrative (No sample cases)	Case narrative (No sample cases)	Case narrative (No sample cases)

B. Corrective Actions:

Documentation that bilingual services were provided	<p><u>REPEAT FINDING FROM 2004 & 2006 REVIEWS</u></p> <p>Monterey County Dept. of Social and Employment Services must document the method used to provide bilingual services, e.g., assigned worker is bilingual, other bilingual employee acted as interpreter, volunteer interpreter was used, or client provided own interpreter.</p> <p>Div. 21-116.22</p>
Documentation if client provided their own interpreter	<p><u>REPEAT FINDING FROM 2004 & 2006 REVIEWS</u></p> <p>When applicants/recipients provide their own interpreter, the CWD shall ensure that the applicants/recipients are informed of the potential problems for ineffective communication. The CWD shall document the case record that the applicants/recipients were so informed.</p> <p>Div. 21-116.23</p>

Documentation of interpreter signed confidentiality statement	<p><u>REPEAT FINDING FROM 2004 & 2006 REVIEWS</u></p> <p>Consent for release of information shall be obtained from applicants/recipients when individuals other than CWD employees are used as interpreters and the case record shall be so documented. Div. 21-116.24</p>
Temporary use of a minor (under 18 years of age) as an interpreter	<p><u>REPEAT FINDING FROM 2004 & 2006 REVIEWS</u></p> <p>When a minor under 18 years of age) is used as an interpreter, the CWD shall so document the circumstances requiring temporary use in the case record. Div. 21-116.22</p> <p>Only under extenuating circumstances or at the specific request of the applicant/recipient shall a CWD allow a minor (under the age of 18 years) to temporarily act as an interpreter.</p>
General	<p><u>REPEAT FINDING FROM 2004 & 2006 REVIEWS</u></p> <p>Monterey County Dept. of Social and Employment Services must ensure that proper documentation is kept in the file that identifies all the required elements to ensure compliance. Div. 21-116</p>

VII. STAFF DEVELOPMENT AND TRAINING

Counties are required to provide civil rights and cultural awareness training for all public contact employees, including familiarization with the discrimination complaint process and all other requirements of Division 21. The training should be included in orientation, as well as the continuing training programs.

A. Findings

Interview questions	Yes	No	Some-times	Comments
Do employees receive continued Division 21 Training?			X	Responses from staff varied from receiving civil rights training every year to every two years.

				<p>However, from the case reviews it is very apparent that Division 21 training regarding the documentation of the provision of interpretive services must be provided to all public contact staff.</p> <p>[CORRECTIVE ACTION REQUIRED]</p>
Do employees understand the county policy regarding a client's rights and procedure to file a discrimination complaint?	X			
Does the county provide employees Cultural Awareness Training?	X			
Do the employees seem knowledgeable about the predominant cultural groups receiving services in their area?	X			Interviews revealed a good understanding of Oaxacan clients.
Do the Children's Social Workers have an understanding of ICWA (Indian Child Welfare Act) and MEPA (Multi-Ethnic Placement Act)?	X			All of the Children's Social Workers interviewed were familiar with these acts.

B. Corrective Actions:

Training Area	Corrective Action
Division 21, Civil Rights Training	<p><u>REPEAT FINDING FROM 2004 AND 2006 REVIEWS</u></p> <p>Monterey County Department of Social and Employment Services shall ensure that employees receive Division 21 civil rights training at the time of orientation as well as ongoing training to ensure that public contact staff has knowledge of Division 21, including familiarization with the discrimination complaint process.</p> <p>Div. 21-117.1</p> <p>In this case, specific training regarding the documentation of the provision of interpretive services must be provided.</p>

VIII. DISCRIMINATION COMPLAINT PROCEDURES

Counties are required to maintain a process for addressing all complaints of discrimination. They must track complaints of discrimination through the use of a control log in which all relevant information is kept, including when the complaint was received, the name of the complainant, identifying numbers and programs, basis of discrimination, and resolution. It is usually the Civil Rights Coordinator responsibility to maintain this log.

A. Findings from Staff Interviews and Program Manager Surveys

Interview and review areas	Yes	No	Some-times	Findings
Can the employees easily identify the difference between a program, discrimination, and a personnel complaint?	X			The majority of the staff interviewed was able to somewhat distinguish among the different types of complaints.
Did the employees know who the Civil Rights Coordinator is?	X			

Interview and review areas	Yes	No	Some-times	Findings
Did the employees know the location of the Civil Rights poster showing where the clients can file a discrimination complaint?	X			The majority of staff interviewed knew the posters were located in the lobby waiting area.
When reviewing the complaint log with the Civil Rights coordinator, was it up to date?	-	-	-	The complaint log has been forwarded to the assigned program analyst in the Civil Rights Bureau.

B. Corrective Action:

None required.

IX. CONCLUSION

The CDSS found the Monterey County Department of Social and Employment Services in substantial **non-compliance** with CDSS Division 21 Regulations, and other applicable state and federal laws with some exceptions.

Again, as in the 2004 and 2006 reviews, the lack of documentation in the case files regarding the provision of interpretive services is still a major unresolved issue. Based on all of the CalWORKs, Welfare-To-Work, Non-Assistance Food Stamps, IHSS and Children's Services cases reviewed, 100% of the non-English/Limited English speaking cases did **not** contain sufficient documentation regarding the provision of interpretive services. The telephone interviews with staff revealed that bilingual Spanish workers do not document the provision of their **own** bilingual services. In addition, when a client uses their own interpreter, staff does not ask the client to sign consent for release of information form or explain and document informing them of the possibility for ineffective communication when using a non-agency interpreter. It is insufficient to simply document the case narrative, for example, indicating "daughter interpreted interview" or, "customer Spanish speaking". The case record must document who provided the interpretive services, the relationship to the client and the language spoken for each face-to-face and/or telephone communication.

For those non-English/limited-English speaking clients who did not have a bilingual worker, there is very little documentation contained in the case files indicating how interpretive services occurred, leaving the reviewer to question how the worker and the client communicated during face-to-face interviews and telephone conversations.

There is a county developed optional form, "Language Preference and Auxiliary Aid Identification Form" included in the most recent annual plan. This optional primary language form, when utilized correctly, captures many of the required elements required by Division 21 regarding the documentation of the provision of interpretive services. Unfortunately, it has never been implemented. It is **strongly recommended** that the agency consider implementing this form (or something similar) at initial application and renewal/recertification and/or if language needs change. Use of this form does not negate the requirement of documenting the case record narrative/comments regarding the provision of interpretive services for each occurrence of communication with a non-English/limited-English speaking client.

In addition, there is also an excellent form entitled "Notice of Understanding" that was provided to CDSs in the annual plan. This form serves as consent for release of information and is signed by both the client and the interpreter. Unfortunately, this form was never been implemented. This already developed county form also covers the issue of offering free interpretive services and explaining and documenting the potential for miscommunication by using a non-agency interpreter. It is again highly recommended that this consent for release of information form become implemented program-wide.

There are **numerous** facility violations that must be addressed. Of great concern are the repeat facility violations from the 2004 and 2006 reports that remain uncorrected. Monterey County Department of Social and Employment Services must remedy the violations identified in this report by taking corrective actions. A corrective action plan must be received by CDSS within 60 days of the date of the cover letter to this report; and the plan must include a schedule by which all actions will be taken to correct the violations.

It is recommended by these reviewers that this agency be placed on a monitoring schedule due to the number of repeat violations and non-compliance to ensure steps toward ADA and Civil Rights compliance in the near future.

It is our intent that this report be used to create a positive interaction between the county and CDSS in identifying and correcting compliance violations and to provide the county with an opportunity to implement corrective action to achieve compliance with Division 21 regulations. Civil Rights staff is available to provide technical assistance as requested.